

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

OLGA B. ARIZAGA,

Plaintiff,

-against-

REINA DE LAW NUBE AZOGUEZ, INC.,  
*et al.*,

Defendants.

-----X

REPORT AND  
RECOMMENDATION

18 CV 621 (CBA)(RML)

LEVY, United States Magistrate Judge:

Plaintiff Olga B. Arizaga (“plaintiff”) filed this wage-and-hour action on January 31, 2018, asserting claims under the Fair Labor Standards Act, 29 U.S.C. §§ 201, *et seq.*, and the New York Labor Law. (See Complaint, dated Jan. 29, 2018, Dkt. No. 1.) No defendant has answered or moved with respect to the complaint. On June 8, 2018, plaintiff requested a certificate of default, but the certificate was denied because the application was missing a supporting affirmation. (See Docket Entry dated June 14, 2018.)

Plaintiff took no further action, and on August 24, 2018, I issued an Order to Show Cause, directing plaintiff to explain, by September 7, 2018, why this case should not be dismissed for failure to prosecute. (See Order to Show Cause, dated Aug. 24, 2018.) Over two months have passed since that deadline, and the court has received no communication from plaintiff.

This case having apparently been abandoned, I respectfully recommend that it be dismissed for failure to prosecute. Any objection to this report and recommendation must be filed with the Clerk of the Court, with courtesy copies to Judge Amon and to my chambers,

within fourteen (14) days; failure to file objections within the specified time period waives the right to appeal the district court's order. See 28 U.S.C. § 636(b)(1); see also FED. R. CIV. P. 72(b), 6(a), 6(d).

Respectfully submitted,

/s/  
ROBERT M. LEVY  
United States Magistrate Judge

Dated: Brooklyn, New York  
November 15, 2018